



CITY COUNCIL

HARB Appeal Hearing

***HARB APPEAL HEARING
COUNCIL CHAMBERS***

MON, OCTOBER 15, 2007

Opening Matters

Call to Order

Purpose

To approve or deny the application for a certificate of appropriateness submitted by Francis Mendez, the owner of 428 Spring Street, for the application of vinyl siding on the front and rear exterior of the property, so as to reduce maintenance obligations. HARB denied the application as the application of vinyl siding is inconsistent with the guidelines specified by the Secretary of Interior. Furthermore, HARB determined that the applicants enclosure a second floor rear porch without receiving first permission from HARB or Zoning is illegal and must be removed.

The applicant has appealed the decision to Reading City Council.

The hearing will have three components 1) Presentation by Amy Johnson, Historic Preservation Specialist 2) Presentation by the applicants: 3) Council comment. City Council will adopt a resolution either approving or denying the appeal either or announce the date when the decision will be issued.

Swearing in of all parties providing testimony

"Do you solemnly swear or affirm that the testimony, both oral and documentary, which you are about to give will be the truth, the whole truth and nothing but the truth?"

Findings of Fact:

- Testimony from Property Owner/Applicant
- Findings of Fact from Historic Preservation Specialist
- Property Owner/Applicant Rebuttal
- Public Comment
- Cross Examination by Council

Expected Date of Decision

Adjournment of Hearing

Adjourn

RESOLUTION NO. 104-07

BE IT HEREBY RESOLVED by the Reading Historical Architectural Review Board:

That a certificate of Appropriateness **NOT** be issued to Francisca Mendez, owner of 428 Spring Street, for the installation of double 4" Dutchlap vinyl siding in the color "Cypress" and capping in aluminum of exterior wood surfaces at the front and rear facades as proposed.

FURTHER RESOLVED: The Board does **NOT** issue a Certificate of Appropriateness for the enclosure of the rear, second floor porch as completed. The installed plywood enclosure must be removed due to the fact that HARB approval, a Zoning Permit, nor a Building Permit were obtained prior to the work being undertaken."

I hereby certify that the foregoing is a true and correct copy of the resolution adopted by the Reading Historical Architectural Review Board at the meeting held on September 18, 2007.

AMY WOLDT JOHNSON
Historic Preservation Specialist

THE READING BOARD OF HISTORICAL ARCHITECTURAL REVIEW
MEETING, TUESDAY, SEPTEMBER 18, 2007

The meeting was called to order at 7:30 p.m. by Chairperson O. Christopher Miller, who noted the presence of a quorum.

MEMBERS PRESENT

O. Christopher Miller, Chairperson
Frank L. Gilyard
Susanne A. Gresh
Laura James
B. J. Wagner
Allen Webster

STAFF PRESENT

Amy W. Johnson

OTHERS PRESENT

Luis E. Castillo, 428 Spring St.
Jorge Mendez, 428 Spring St.
Francisca Mendez, 428 Spring St.
Alan W. Shuman, 50 N. 5th St.
Brendan Jones, 122 N. 11th St.
Brandy Lang, 122 N. 11th St.
Pedro Acosta, 533 Penn St.
Samuel Linares, 533 Penn St.
Charles Miller, 619 ½ S. 6th St.
Patricia Miller, 619 ½ S. 6th St.
George Sankari, 422 Penn St.
Donna Glaze, 101 N. 5th St.
James Lilac, 527 Douglass St.
Jose Peralta, 629 Pine St.
Jason Cepeda, 629 Pine St.
Andres Acuna, 1012 Walnut St.
Charles Younger, City Solicitor

REVIEW OF MINUTES FOR MEETINGS HELD ON JULY 17 AND AUGUST 21, 2007

Ms. Johnson presented the Board with the resolutions as rendered by the Board at the regular HARB meetings held on July 17 and August 21, 2007. Ms. Johnson informed the Board that the minutes of the meetings held on July 17 and August 21, 2007 have not been completed and thus are not available for review. Therefore, the Board did not make a motion regarding the approval of the above minutes.

ITEM #2	<i>428 Spring St.</i>
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Francisca Mendez, Owner

**FACTS CONCERNING HISTORICAL AND
ARCHITECTURAL SIGNIFICANCE**

This three story row home built in the Queen Anne style received a site quality rating of 100 and is a contributing site in the Centre Park Historic District. The building retains a substantial amount of historical integrity and features a coursed stone façade, original fluted columns at the first floor front porch, original wood trim at the first, second and third floor front cornices, and the original scalloped slate roof. The structure has been compromised with the replacement of the first floor arched window, installation of replacement windows at the second and third floors and the capping in aluminum of the second floor bay window wood surround.

PROPOSED SCOPE OF WORK

the installation of double 4" Dutchlap vinyl siding at all wood surfaces on the front façade and at the rear façade where aluminum siding and asbestos shingles had previously been installed.

REASONS OF APPLICANT FOR PURSUING PROPOSED SCOPE OF WORK

The owner would like to install the vinyl siding in order to make the home maintenance free.

FINDINGS OF THE BOARD

Mr. Castillo, contractor for the project, explained to the Board that the rear façade of the building had previously been covered in asbestos and aluminum siding. Mr. Castillo stated that he started to undertake the installation of the siding at the rear façade and then met with Ms. Johnson in her office to discuss the installation of vinyl siding at the rear and front facades of the building. Mr. Castillo explained that the property owner would like to install vertical vinyl siding and aluminum capping on all the wood surfaces of the home because the owner does not want to continue painting the property every other year. Mr. Castillo further explained that the owner wishes to install vertical siding at the soffit of the third floor bay window roof. Mr. Castillo stated that when the owner bought the property there was already aluminum capping at the second floor. Mr. Mendez stated that the wood trim on his row home is deteriorated and noted that more than seventy percent of the houses in the area are covered in aluminum or vinyl siding. Mr. Castillo presented the Board with a photograph of a property located across the street at 429 Spring Street which has recently been capped in aluminum and had vertical vinyl siding applied. Mr. Castillo confirmed the fact that the owner walked around her neighborhood and determined that seventy percent of the buildings are covered in siding. Ms. Wagner stated that she doesn't think seventy percent of the homes are covered in aluminum siding.

Ms. James inquired as to where on the rear façade of the building does the owner want the vinyl siding installed. Mr. Castillo replied that the rear eastern façade of the home previously had asbestos shingles on it that he has removed and would like to replace with vinyl siding.

Mr. Webster inquired about the plywood enclosure at the rear second floor. Mr. Mendez replied that the plywood encloses an old porch. Mr. Castillo stated that the enclosure was there when he began working. Mr. Webster inquired as to how long the owners have owned the home. Mr. Mendez replied that they have owned the home for twenty-five years.

Ms. James inquired as to whether there is an alley behind the home. Ms. Johnson replied that yes there is an alley and only two homes in the block retain their original wood siding and trim and that the rest of the homes have vinyl or aluminum siding applied to them. Mr. Webster stated that he feels the rear second floor porch enclosure needs to be modified. Ms. Wagner stated that she feels the porch enclosure needs to have windows installed. Ms. Gresh concurred. Mr. Mendez stated that the porch used to be screened in but in the winter the rear portion of the house became too cold and therefore he enclosed the porch. Ms. Wagner inquired as to whether there were any photographs in the file showing the original rear structure. Ms. Johnson presented pictures taken in the year 2000, when the owners had previously come to the Board, of the rear façade showing the second floor porch screened with lattice. Ms. Johnson stated that according to the file, the owner had come before the Board in 2000 for the review of construction of a rear concrete porch with wrought iron railings and supports and the photograph of the rear showing the lattice enclosure was from this time period. Ms. Johnson stated that according to the most recent photographs, the porch was enclosed illegally without building permits, a zoning permit or HARB review.

Mr. Webster stated that he feels the Board cannot approve the application of capping and vinyl siding on the front façade. Mr. Mendez inquired about the rest of the block and the fact that other buildings have aluminum or vinyl siding applied to their facades. Mr. Webster replied

that some of the applications of siding to building facades might have happened before the historic district was established and at this time the Board must address what is best for this particular property. Mr. Mendez noted that in the 300 Block of Spring Street there was recently a fire and the property owner had installed capping on the front façade. Mr. Miller and Ms. Johnson stated that the property's façade in question had already been capped in aluminum and the Board had approved the in kind replacement of the aluminum capping and noted that the adjacent house had restored original woodwork after the fire.

Ms. Johnson stated that she walked the 400 Block of Spring Street and noted how many homes had aluminum or vinyl siding applied to them. Ms. Johnson stated that two homes in the block had both original wood architectural features and aluminum capping and that sixteen homes had been capped and eighteen homes had not been capped. Therefore, more than fifty percent of the homes in the block are still in their original condition.

Mr. Mendez stated that they are trying to improve their home and noted that other properties in the block are deteriorating and he might as well put his house up for sale. Mr. Mendez noted that the house next door to him is literally falling apart. Mr. Webster noted that if the façade has rotten woodwork, it would have to be repaired before the siding was installed. Ms. James stated that the house would look really nice if the original woodwork would be repaired and painted. Mr. Mendez stated that he already has purchased the siding material and doesn't want to waste his money. Mr. Gilyard stated that the Board must follow certain guidelines and he realizes that it may not sound reasonable, but the Board cannot approve covering over original materials on a structure. Mr. Gilyard stated that there may be funds available to help in restoring the home. Mr. Mendez stated that he bought the home from the Government and wasn't told that he was in a historic district. Mr. Miller stated that if Mr. Mendez bought the home twenty-five years ago, it was right when the Centre Park Historic District was being established. Mr. Webster again stated that the Board cannot approve this type of repair. Ms. Mendez stated that she doesn't understand why the Board cannot approve their proposal when all of the other houses in the neighborhood have been capped in aluminum. Mr. Webster explained that if Mr. Mendez wishes to pursue capping his home, the Board will have to deny his request and he will be able to appeal the Board's decision to City Council.

Ms. Johnson stated that the rear second floor porch must be addressed and again stated that it was originally enclosed with lattice. Mr. Miller noted that he doesn't think the chain link fence located in the front yard was approved by the HARB either but has been there a long time. Mr. Webster stated that he doesn't feel the Board can approve the enclosure of the rear porch as completed and feels that windows should at least be installed in the enclosure. Mr. Mendez stated that the lattice was falling down and so he repaired the wood and covered the porch. Mr. Webster explained to Mr. Mendez that he needed to obtain building and zoning permits in order to enclose the porch. Mr. Mendez replied that the Board can purchase his house and do what they want with it then. Mr. Mendez stated that the property is his; he pays the mortgage, and doesn't understand how the Board can tell him what to do with his home. Mr. Miller replied that wherever a property is purchased, the municipality in which it lies has rules and regulations. Mr. Miller stated that most of the Board members have homes in the historic districts. Mr. Mendez inquired as to whether Mr. Miller follows the rules and regulations of the district. Mr. Miller and members of the Board replied that yes, they too must follow the historic district rules and regulations.

Mr. Webster inquired as to whether the Board feels that if the rear porch addition is assimilated into the living room by adding windows, would the board approve the rear addition or does the Board want the owner to remove the enclosure. Mr. Gilyard stated that the enclosure needs to be reviewed by the Zoning Administrator in order to be approved as a room. Mr. Webster concurred and stated that if the owner wishes to enclose the porch they will need to obtain a zoning permit. Mr. Mendez again stated that he's spent \$600.00 on materials for the project. Ms. Gresh stated that it is not the Board's fault that the owner has already purchased the

materials before obtaining HARB approval or necessary permits. Mr. Castillo inquired about installing windows in the addition. Mr. Webster stated that if the enclosure is returned to a porch, the Board could give the owner permission to continue but otherwise the enclosure would have to be denied and the owner could appeal the decision to City Council. Mr. Webster stated that the Board would be happy to review any changes the owner wishes to make to his proposal but cannot approve the existing proposal. Mr. Mendez stated that he feels the Board's decision is racist and that he must have to be of the white race in order to have his project approved. The owner of 619 ½ South Sixth Street, an applicant in the audience, then noted that he is white and is attending the meeting in order to have his project approved. Mr. Miller stated that the property owner must follow the guidelines along with the property owners in the other four historic districts.

RECOMMENDATION OF THE BOARD

issue a Certificate of Appropriateness to Francisca Mendez, owner of 428 Spring Street, for the installation of double 4" Dutchlap vinyl siding in the color "Cypress" and capping in aluminum of exterior wood surfaces at the front and rear facades as proposed.

ED: The Board does **NOT** issue a Certificate of Appropriateness for the enclosure of the rear, second floor porch as completed. The installed plywood enclosure must be removed due to the fact that HARB approval, a Zoning Permit, nor a Building Permit were obtained prior to the work being undertaken. A motion was made by Mr. Webster and seconded by Ms. James. The vote was taken with all in favor (6-0).

